AMENDMENTS TO THE DRAWINGS

The attached sheet(s) of drawings includes changes to:

FIGURE 8 has been amended to correct an obvious error in box 806, where the word "level" has been corrected to read "local" in accordance with the specification at page 16 line 4.

Attachment: Replacement sheet

                        Annotated sheet showing changes

REMARKS

The Examiner has objected to the language of the Abstract. In this regard the abstract has been amended. The length of the Abstract is well within the range of words allowable for abstracts. While the Examiner is right that certain phrases are implied, removing those phrases often, as in the instant case, renders the sentence incomplete and results in poor grammar. Thus, while Applicant has complied with the Examiner's request and removed the offending words, other words have been added to comply with the rules of the English language. It is respectfully submitted that the amended Abstract should now be held allowable.

Claims 47, 48, 57, and 72–80 have been rejected under 35 U.S.C. 102 (b) as being anticipated by Kwoh. This rejection is traversed.

With respect to claim 47, the Examiner has stated that Kwoh discloses a method of adjusting recording time of an entertainment program. To support this statement the Examiner points to Kwoh col. 2, lines 21–55.

Actually, the portion of Kwoh that the Examiner is pointing to is the background of the invention in which Kwoh is discussing an earlier German system, known as the VPS system, in which the starting time of a program is contained in line 6 of the vertical blanking signal as that signal comes from the transmission system. Since Kwoh is simply reciting a prior system, the amount of information disclosed about the VPS system is limited to what is discussed in Kwoh, which is minimum. From what is available, it is agreed that the VPS system does allow a viewer to select an entertainment program to be communicated to the user's premises with the programs having a start time.

However, the VPS system does not have any ability to **establish a stop time for recording** as specifically claimed. Nor does the VPS system have any method of **adjusting an established stop time of said established recording time**, as specifically claimed. This follows since, as pointed out by Kwoh lines 50 et. seq. of col. 2, the end time is signaled by a code representing the beginning time of another program. Thus, the VPS system uses the beginning of a next program to signal the end of the previous program and does not have an

established stop time. Accordingly, in VPS there is no way in which an established **stop time** can be adjusted. In VPS, the stop time happens by default, i.e. a new program begins. Thus, while the Examiner is correct that the Kwoh system adjusts the recoding time of an entertainment program, Kwoh makes such an adjustment in an entirely different manner (by default) from the manner that is being claimed. Accordingly, claim 47 should be held allowable.

Newly added claim 81 is directed to the transmission of the message to the user independent from the transmission of the selected program. The VPS system specifically uses codes in the blanking pulses of the actual program and thus, newly added claim 81 should be held allowable.

Claim 72 recites a communication from **the delivery source** to the recipient's recorder of a message when the length of the program is known. The VPS system, as discussed in Kwoh, provides codes within each program for allowing a recorder to know when to turn on or off. The off time is determined only when a code for a new program is detected. Thus, the VPS system does not provide a "message when the length of said entertainment program becomes ascertainable by said delivery source. Note also that the delivery source is different from the program. Accordingly, any control codes cannot come from the delivery source because the codes are contained in the delivered medium. Thus, in the VPS system the message that allows the recorder to turn off is in the entertainment program and is associated with the next program not with the current program, and this "next program" information then cannot be communicated from the source, as specifically claimed. Accordingly, claim 72 should be held allowable.

Newly added claim 82 is directed to the transmission of the communication to the recipient's recorder independent from the transmission of the entertainment program. The VPS system specifically uses codes in the blanking pulses of the actual program and thus, newly added claim 82 should be held allowable.

Claim 74 should be held allowable because the VPS system controls the off time by default based on the fact that a new start code is received as part of the program. The VPS

code does not in any manner control the setting of the recorder under control of the **delivery source** as specifically claimed. Accordingly, claim 74 should be held allowable.

Claim 75, as now amended, specifically recites the receipt of a stop time message containing the stop time of a program and also now specifically recites that the recorder stops at the received stop time. As discussed above, the VPS does not send a stop time, but rather relies on a new start time code to cause the recorder to stop recording. Since, by definition, a start time code is at the beginning of the next program (which could be separated from the last program by a commercial or station break) it follows that the recorder will stop at the beginning of the next program and not necessary <u>at the end of the current program</u> as specifically now claimed. In addition, the VPS never sends a stop time message but rather, as discussed above, relies on a start time message to control the end of recording of a previous program. Accordingly, claim 75 should be held allowable.

Newly added claim 83 is directed to the transmission of the message to the user independent from the transmission of the selected program. The VPS system specifically uses codes in the blanking pulses of the actual program and thus, newly added claim 81 should be held allowable.

Claim 76, as amended, now specifically recites that the received end time message can be delivered either during the program or at the end of the program. As discussed above, the VPS system can only cause the recorder to stop because the next program has started. Thus, the VPS system does not teach the delivery of the message either during the program as specifically claimed, or at the end of the program. Accordingly, claim 76 should be held allowable.

Newly added claim 84 is directed to structure for receiving the transmission of the message independent from the transmission of the entertainment program. The VPS system specifically uses codes in the blanking pulses of the actual program and thus does not teach or even hint at structure for receiving messages independent from the entertainment program. Accordingly, newly added claim 84 should be held allowable.

Claim 77, as now amended, specifically recites that the end control message is received concurrently with the end of the program. As discussed above, the VPS system can only cause the recorder to stop because the next program has started. Thus, the VPS system does not teach the delivery of the message concurrently with the end of the program as specifically claimed. Accordingly, claim 77 should be held allowable.

Newly added claim 85 is directed to receiving the transmission of the message independent from the transmission of the desired program. The VPS system specifically uses codes in the blanking pulses of the actual program and thus does not teach or even hint at receiving messages independent from the desired program. Accordingly, newly added claim 85 should be held allowable.

Claim 79 has been amended to clarify that the stop time message is delivered independent from the desired program. The VPS system specifically uses codes in the blanking pulses of the actual program and thus does not teach or even hint at receiving messages independent from the desired program. Accordingly, claim 85, as amended, should be held allowable.
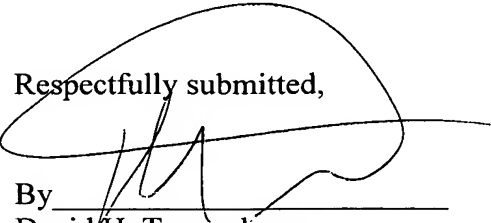
Claims 78 and 80 specifically recite (as the Examiner rightly pointed out) that the message is contemporaneous with the end time of the program. However, as discussed above, the VPS system stops recordings by detection of the start code of the next program. By definition, the start time of the next program cannot in any manner be deemed to be as contemporaneous with the end time of the last program. Accordingly, claims 78 and 80 should be held allowable.

In view of the above, Applicant believes the pending application is in condition for allowance.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 06-2380, under Order No. 05708/P005D1/08008819 from which the undersigned is authorized to draw.

Dated: April 7, 2006   Respectfully submitted,

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Attachments

ANNOTATED
SHEET

FIG. 8

RECEIVE UPDATED CONTENT AND CHANNEL INFORMATION FROM CONTENT PROVIDER — 801

CHECK DATABASE TO SEE IF ANY USER IS WAITING FOR INFORMATION — 802

NO → PROCEED WITH REGULAR DOWNLOAD SCHEDULE — 803

YES

IS THERE TIME TO WAIT UNTIL THE NEXT SCHEDULED USER UPDATE? — 804

NO → INITIATE A MESSAGE AND UPDATE USER IMMEDIATELY AND SET USER'S RECORDER, IF NECESSARY — 805

YES

AT NEXT DOWNLOAD SCHEDULE SET THE USER'S ~~LEVEL~~ *LOCAL* RECORDER TO RECORD INFORMATION AS PER STORED REQUESTS — 806

NOTIFY USER VIA ONE OR MORE METHODS AND SET USER'S RECORDER, IF NECESSARY — 807